

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JASON E. SKAGGS, : Case No. 3:11-cv-323
: :
Petitioner, : Judge Timothy S. Black
: Magistrate Judge Michael R. Merz
vs. : :
WARDEN, Warren Correctional Institution, : :
: :
Respondent. : :

**DECISION AND ENTRY: (1) ADOPTING THE SUPPLEMENTAL REPORT
AND RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 10); AND (2) TERMINATING THIS CASE FROM THE DOCKET**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on September 9, 2011 submitted a Report and Recommendations. (Doc. 3). Subsequently, the Magistrate Judge granted Petitioner a 60 day extension of time to file objections. (Doc. 4). The Petitioner failed to object within the 60 day period, so this Court entered a decision adopting the Report and Recommendations on November 7, 2011. (Doc. 5). However, on November 15, 2011, fourteen days after the deadline, Petitioner filed a motion to amend the judgment and extend time to file additional objections. (Doc. 7). Again, the Magistrate Judge gave the Petitioner an additional period to object. (Doc. 8). The Petitioner timely filed objections. (Doc. 9). Thereafter, the Magistrate Judge submitted a Supplemental Report and

Recommendations. (Doc. 10). Again, the Petitioner filed objections.¹ (Doc. 11).

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Supplemental Report and Recommendations should be and is hereby adopted in its entirety; and Plaintiff's Objections are overruled.

Accordingly:

1. The Supplemental Report and Recommendations (Doc. 10) is **ADOPTED**;
2. The Petition is **DISMISSED WITH PREJUDICE**;
3. A certificate of appealability under 28 U.S.C. § 2253 is **DENIED**; and
4. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 12/30/11

Timothy S. Black
Timothy S. Black
United States District Judge

¹ The Court considered Petitioner's objections despite the fact that they were filed two days late.